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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,909	01/02/2001	Yoon-Taek Jung	P-163	7303

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FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

FARKHONDAR, FARIMA

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,909

Applicant(s)

JUNG ET AL.

Examiner

Farima Farkhondar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-22 is/are allowed.
- 6) ☒ Claim(s) 1-5, 23-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings were received on 1/06/2004. These drawings are acceptable.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Pilc et al., US Patent 5510777.

Regarding claim 1, Pilc discloses a method for processing authentication failed/authorization denied subscribers by an intelligent network, comprising: detecting an authentication failure or authorization denial for a subscriber who has originated a call and informing a service control point (SCP) of the failure or denial (Figure 5, block 811, note detecting the condition that the call requires security is equivalent to detecting the condition that authentication failure or authorization denial has occurred); instructing by the SCP that the call originated by the subscriber be connected to a prescribed location (column 6, lines 30-36, note the prescribed location here is security system 133) ; and inducing the subscriber to normal service according to the instruction of the

SCP (Figs 5-7 induce connection in block 833 of Fig. 7 according to the instruction of SCP).

Regarding claim 3, see the rejection of claim 1 regarding the subject matter this claim is dependent upon. Pilc discloses the detection is performed by an Origination_Attempt_Unauthorized detection point (Fig 5, block 811 see also column 6, lines 32-34, note recognizing that this call may require a security processing beyond a first level is equivalent to detection of authentication failure).

Regarding claim 4, see the rejection of claim 3 regarding the subject matter this claim is dependent upon. Pilc discloses the Origination_Attempt_Unauthorized detection point comprises an authorization failure trigger configured to indicate a state of the authentication failure or the authorization denial (Fig 5, block 815, also column 7, lines 13-15, note the state of "first level met" is equivalent to the state of authentication failure or the authorization denial), and wherein the state determines whether the SCP is informed of the authentication failure or authorization denial when the subscriber who attempted the call was authentication-failed or authorization-denied (Figure 5, blocks 815 and 823, see also column 7, lines 5-15).

Regarding claim 5, see the rejection of claim 4 regarding the subject matter this claim is dependent upon. Pilc discloses the SCP is informed of the authentication failure or

authorization denial when the authorization failure trigger is in an activated state (Yes state between blocks 815 and 823 of Fig 5 is equivalent to activated state.)

4. Claims 23, 26-27, 29, 32-33, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson, US Patent 6029062.

Regarding claims 23 and 29, Hanson discloses a method comprising: determining if a call to a first destination is unauthorized, if the call is not authorized, then forwarding the call to a second destination to provide an option to gain authorization to call the first destination (column 6, lines 49-65 and column 8, lines 7-13 and 43-47).

Regarding claims 26 and 32, Hanson further discloses wherein the method is implemented in a wireless communications system (Hanson – see Figure 1).

Regarding claims 27 and 33, Hanson further discloses wherein the method is implemented in an intelligent network (with the flow chart of Figure 6, it is clear the network in Hanson is an Intelligent Network).

Regarding claim 35, Hanson discloses an apparatus comprising: communication equipment (Figure 1, elements 26); and a means for inducing a caller to pay a service fee for use of the communication equipment (column 8, lines 7-47, see also Figures 2 and 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pilc et al. in view of D'Amico, US Patent 5579379.

Regarding claim 2, see the rejection of claim 1 regarding the subject matter this claim is dependent upon. Pilc does not disclose the step of inducing the subscriber to normal service comprises: collecting information on the call for which authentication has failed or authorization has been denied; analyzing the collected information; and selecting a route to set up a call according to the analyzed information. However D'Amico teaches the step of inducing the subscriber to normal service comprises: collecting information on the call for which authentication has failed or authorization has been denied (column 21, 24-29); analyzing the collected information; and selecting a route to set up a call according to the analyzed information (column 21, lines 48-52). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add the above features as taught by D'Amico to Pilc, in order to get further information on a call for which authentication has failed or authorization has been denied so a decision can be made on where to route the call to induce the subscriber to normal service.

7. Claims 23-25, 28, 29-31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baulier et al, US Patent 6517707, in view of Koster, US patent 6253081.

Alternatively, regarding claims 23 and 29, Baulier discloses a method comprising: determining if a call to a first destination is unauthorized, if the call is not authorized, then forwarding the call to a second destination (column 9, lines 62 to column 10, line, 22, note routed to an attendant). Baulier does not explicitly disclose the second destination provides an option to gain authorization to call the first destination. However, Koster discloses the second destination provides an option to gain authorization to call the first destination (column 11, lines 59-67 and column 12 lines 14-16. Note that once the subscriber is authorized, he will be able to call the first destination). Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Baulier with the above teachings of Hanson, in order to allow the subscriber the option of paying for the call if he chooses and gain authorization to call the first destination (as suggested by Koster – column 12, lines 14-16).

Regarding claims 24 and 30, the combination of Baulier and Koster further discloses wherein said forwarding is performed according to an instruction of a service control point (Baulier – column 10, lines 20-22).

Regarding claims 25 and 31, the combination of Baulier and Koster further discloses wherein the results of the said determining are forwarded to a service control point for analysis (Baulier – column 10, lines 10-14).

Regarding claims 28 and 34, the combination of Baulier and Koster further discloses wherein the option to gain authorization is inducing a caller of the call to pay (Koster - column 11, lines 59-67 and column 12 lines 14-16).

Response to Arguments

8. Applicant's arguments filed on 1/6/04 for claim 1-5 have been fully considered but they are not persuasive.

Regarding claims 1 and 3-5, the applicant argues that the SCP of the Pilc is a "security control point". Note a service control point is claimed. However, since the claims fail to further define the function of the SCP, and since the security control point in Pilc provides services such as security, it is clear that the security control point in Pilc reads on the service control point as claimed. Furthermore, the applicant argues that Pilc does not induce a subscriber to normal service according to an instruction of a service control point. However, Pilc discloses the above limitation on column 6, lines 31-43, and column 9, lines 10-19 and column 10, lines 12-19. Note when the subscriber is provides additional authentication information, if the subscriber is authenticated access

is granted. Additionally, please see Figures 5, 6 and 7 for inducing the subscriber and block 833 of Figure 7, for a case where normal service is obtained.

Regarding claim 2, see the response to argument of claim 1, as set forth above for inducing a subscriber to normal service.

Allowable Subject Matter

9. Claims 6-22 are allowed.

Applicant's arguments on pages 19-25, filed 1/6/04, with respect to claims 6-22 have been fully considered and are persuasive. The rejection of 6-22 has been withdrawn.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farima Farkhondar-Tonsey whose telephone number is 703-305-6285. The examiner can normally be reached at 9:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Vo can be reached on 703-308-6728. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farima Farkhondar-Tonsey
Examiner
February 25, 2004


SINH TRAN
PRIMARY EXAMINER